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IT IS SO ORDERED.

Dated: November 29, 2022




C. Kathryn Preston
United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE:	*	CASE NO: <u>22-52799</u>
	*	(Chapter 11)
EVERGREEN SITE HOLDINGS, INC.	*	
	*	
	*	(Judge Preston)
Debtor/Debtor-in-Possession.	*	

**ORDER APPROVING APPLICATION TO EMPLOY COUNSEL
FOR DEBTOR/DEBTOR-IN-POSSESSION (Doc. 14)**

This matter came to the attention of the Court upon the Application of the Debtor/Debtor-in-Possession Evergreen Site Holdings, Inc. (“Debtor”) to employ Denis E. Blasius as Case Attorney and the Law Offices of Ira H. Thomsen (Ira H. Thomsen, Denis E. Blasius, and Darlene E. Fierle, hereinafter referred to collectively as “Counsel”) as its bankruptcy counsel (*Doc. 14*). The Court finds from the Application and Affidavits relating to such employment that Counsel represents no present adverse interest to the estate and are disinterested persons able to represent and assist the Debtor in carrying out its duties under this title as required by *11 U.S.C. §327, Bankruptcy Rule 2014* and *Local Bankruptcy Rule 2014-1*. Therefore,

IT IS ORDERED that Denis E. Blasius, 140 North Main Street, Suite A, P.O. Box 639, Springboro, Ohio 45066 shall be employed as case attorney for the Debtor, effective as of the Petition Date; and

IT IS ORDERED that Ira H. Thomsen, Law Offices of Ira H. Thomsen, 140 North Main Street, Suite A, P.O. Box 639, Springboro, Ohio 45066 shall be employed as counsel for the Debtor, effective as of the Petition Date; and

IT IS ORDERED that Darlene E. Fierle, Law Offices of Ira H. Thomsen 140 North Main Street, Suite A, P.O. Box 639, Springboro, Ohio 45066 shall be employed as counsel for the Debtor, effective as of the Petition Date; and

IT IS FURTHER ORDERED that Counsel, at Counsel's option, may provide on a monthly basis to the Debtor, United States Trustee, Counsel for the Unsecured Creditors' Committee, or members of the Unsecured Creditors' Committee if no counsel has been appointed, and all other parties that the Court may require, an itemized statement for all fees and expenses incurred, and that each party served with the monthly statement may object to such request and may request a hearing by the Court which shall, unless otherwise ordered, be heard at such time the Court may schedule. If no objection is timely filed to the monthly statement, Counsel shall be paid, without prior Court approval, on a monthly basis, twenty-one (21) days after service of his monthly statement, by drawing from Ira H. Thomsen's Trust Account, and applying eighty-five percent (85%) of the amount of his fee and one hundred percent (100%) of the amount of his expenses; the remaining fifteen (15%) of Counsel's fees shall be held back pending approval of fee applications to be subsequently filed. In the event that an objection is filed to the monthly statement within twenty-one (21) days of the date of service of the monthly statement, no payment shall be made until the Court has ruled on the objection. Counsel may take payment from Debtor at any time, which

amount shall be held in trust until applied to a Court approved interim fee application or monthly statement. Counsel is otherwise authorized to file an application for interim compensation as provided in the Bankruptcy Code.

IT IS SO ORDERED.

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